

**REMARKS**

The following remarks are numbered according to the paragraph number of the Office Action to which it responds to.

1. Applicant acknowledges withdrawal of indicated allowability of claims 20-21.
2. Examiner has rejected claim 20 as being indefinite under 35 USC 112, second paragraph. Claim 20 has been amended to clarify meaning and remove any indefiniteness.
3. Examiner has rejected claims 17, 20-21 as being anticipated by the Kost reference. With respect, it is submitted that these claims are not anticipated by the Kost reference.

The Kost reference teaches pre-manufactured wall frames – there is absolutely no teaching of roof trusses. Kost does not teach any form of roof truss. Examiner referred to Figure 12 and stated that element 23 is equivalent to a bottom chord and that element 2A is equivalent to the bottom plate. Element 23 may be the bottom chord of a roof truss, although it is identified as a cross-beam. However, element 2A is not a bottom plate. It is a top part of the wall framing unit.

The difference may be seen in that element 2A in Kost which Examiner has equated to the bottom plate runs perpendicular to the longitudinal axis of the roof truss. In the case of the present invention, the bottom plate is parallel to such axis, because it is part of the truss.

The present invention is an improved roof truss, which adds the element of a bottom plate, disposed below the bottom chord. This is best seen in Figure 1 of the present invention. It is important to consider that the bottom plate is a separate element from the bottom chord, not part of the bottom chord.

5. Examiner has rejected claims 1-5, 7-11, 13-16 as being unpatentable over Kost under 35 USC 103(a).

With respect, it is submitted that no *prima facie* case of obviousness may be made. Kost does not teach a roof truss, which is the object of the present claims. The argument above is repeated.

7. Examiner has rejected claims 1, 2 and 6 as being unpatentable in view of Rydeen.

Rydeen does show a roof truss, however, no equivalent of the bottom plate is taught. Examiner has indicated that element 13 may be equated to the bottom plate of the roof truss. However, please note that element 13 is a support beam. Its purpose is to support the roof truss. This is apparent because it is perpendicular to the roof truss which is made up of elements 14 and 15.

Therefore, there can be no *prima facie* case of obviousness because each element of the present claims is not found in the prior art.

8. Examiner has rejected claim 12 as being unpatentable over Kost and further in view of Boozer.

Claim 12 depends from claim 1 and is therefore also submitted to be free of the prior art.

9. Applicant acknowledges indication of allowability for claims 18 and 19.

### CONCLUSION

In view of the foregoing remarks and amendments, it is respectfully submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

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Attachments:

1. Copy of claims.

1. (Previously Amended) An improved roof truss comprising a bottom chord, a top chord and at least two intermediate members creating a triangular shape with one of the top or bottom chords, wherein the improvement comprises:
  - a) a bottom plate disposed beneath the bottom chord; and
  - b) means for attaching the bottom plate to the bottom chord which allows separation of the bottom plate from the bottom chord when the bottom plate is attached to an interior partition wall and the roof truss rises relative to the interior partition wall.
2. (Original) The improved roof truss of claim 1 wherein the means for attaching the bottom plate to the roof truss comprises a plurality of connectors.
3. (Original) The improved roof truss of claim 2 wherein the connectors are removable.
4. (Original) The improved roof truss of claim 2 wherein the connectors are frangible.
5. (Original) The improved roof truss of claim 1 wherein the means for attaching the bottom plate to the roof truss comprises one or more connectors slidably attached to the bottom plate and the roof truss.
6. (Original) The improved roof truss of claim 2 wherein the connectors are fasteners driven through the bottom plate into the bottom of the bottom chord.
7. (Original) The improved roof truss of claim 2 wherein the connectors are gang plates.
8. (Original) The improved roof truss of claim 2 wherein the connectors comprise a plurality of wood fasteners and hangers having a plurality of holes, wherein the wood

fasteners are driven through the holes in the hangers into the bottom plate, the bottom chord or both.

9. (Original) The improved roof truss of claim 8 wherein the hangers are frangible.
10. (Original) The improved roof truss of claim 9 wherein the hangers have a perforation disposed in such a way that if the hanger is severed at the perforation, the hanger and fasteners will no longer act to attach the bottom plate to the bottom chord.
11. (Original) The improved roof truss of claim 8 wherein the hangers are slidably attached to the bottom plate and the bottom chord.
12. (Original) The improved roof truss of claim 11 wherein the holes are vertically slotted holes.
13. (Original) The improved roof truss of claim 8 wherein the hangers are H-shaped hangers.
14. (Original) The improved roof truss of claim 8 wherein the hangers are U-shaped hangers.
15. (Original) The improved roof truss of claim 8 wherein the hangers are wrap-around hangers.
16. (Original) The improved roof truss of claim 8 wherein the hangers are metal.
17. (Original) An improved roof truss, comprising:
  - (a) a bottom chord;
  - (b) a bottom plate disposed underneath the bottom chord;

- (c) means for attaching the bottom plate to the bottom chord; and
- (d) spacers disposed between the bottom plate and the bottom chord which create a thermal gap between the bottom plate and the bottom chord.

18. (Original) The improved roof truss of claim 17 further comprising a bracket positioned between the bottom plate and the bottom chord, located at the intersection of the bottom plate and an interior partition wall, having a horizontal planar member on the top of the bottom plate attached to vertical planar members on either side of the bottom plate which are attached to horizontal planar members extending away from the bottom plate along the top surface of the interior partition wall, wherein fasteners can be driven through the horizontal planar members extending away from the bottom plate along the top surface of the interior partition wall so as to attach the bottom plate to the interior partition wall.
19. (Original) The improved roof truss of claim 18 wherein the bracket is metal.
20. (Currently Amended) The improved roof truss of claim 17 further comprising a strap, located at the intersection of the bottom plate and an interior partition wall, ~~comprising a planar member positioned~~ said strap passing between, and extending beyond, the bottom plate and the bottom chord, wherein said planar member may be fastened to the interior partition wall. wherein fasteners can be driven through the planar member on either side of the bottom plate so as to attach the bottom plate to the interior partition wall.
21. (Original) The improved roof truss of claim 20 wherein the strap is metal.